

Atty's Dkt. KUMAZAWA  
**IA P7 Rec'd PCT/PTO 07 AUG 2006**

In re Application of:  
 Yoshio KUMAZAWA, et al  
 Serial No. 10/553,695  
 IA Filing Date: February 21, 2005  
 For: A CELL ACTIVATOR

) Application Division  
 ) **ATTN: PCT**  
 ) Washington, D.C.  
 ) Confirmation No. 2023  
 ) Date: August 7, 2006

**LATE SUBMISSION OF DECLARATION AND/OR TRANSLATION IN APPLICATION FILED UNDER 35 USC 371**

U.S. Patent and Trademark Office  
 Customer Service Window  
 Randolph Building, Mail Stop Missing Parts  
 401 Dulany Street  
 Alexandria, VA 22314

Sir:

The present communication is in response to the "NOTICE OF MISSING REQUIREMENTS UNDER 35 USC 371..." dated June 7, 2006. Attached hereto is/are:

- [XX] An executed oath or declaration in compliance with 37 C.F.R. 1.63, identifying the present application by title, PCT information and priority information.  
 [XX] An exact English language translation of the PCT application as originally filed, replacing the previously filed translation.  
 [ ] Exact English language translation of the Annexes to the International Preliminary Examination Report containing substitute pages \_\_\_\_ of the specification and new claims \_\_\_\_ to be used for examination.  
 [XX] A Preliminary Amendment  
 [ ] Copy of the "Sequence Listing" in computer readable form (CRF) and statement that contents of the CRF are the same as the paper copy.  
 [XX] An Information Disclosure Statement with 08A- 1449 and 17 references.  
 [XX] Additional fees as calculated below:

Surcharge of \$130.00 for furnishing the oath or declaration later than [ ] 20 [X] 30 months from the earliest claimed priority date (37 CFR 1.492(e)).		\$130.00	
Number of each additional 50 pages or fraction thereof (round up to a whole number)		RATE	
		X \$250.00	
Number of Claims Previously Paid For	Number of Extra Claims	Rate	
28- 20 =	8	X \$ 50.00	\$400.00
2- 3 =		X \$200.00	\$
Multiple Dependent Claims (if applicable)		+ \$360.00	\$
<b>TOTAL OF ABOVE CALCULATIONS</b>			<b>\$530.00</b>
Reduction of 1/2 for filing by small entity, if applicable. Applicant claims small entity status. See 37 CFR 1.27.			<\$ >
<b>SUBTOTAL</b>			<b>\$530.00</b>
Processing fee of \$130.00 for late furnishing of the English translation.			\$
<b>TOTAL NATIONAL FEE</b>			<b>\$530.00</b>

- [ ] Surcharge for late filing of the Declaration was paid on \_\_\_\_  
 [ ] It is hereby petitioned for an extension of time in accordance with 37 C.F.R. 1.136(a). The appropriate fee required by 37 C.F.R. 1.17 is calculated as shown below:

**Small Entity**  
 Response Filed Within  
 [ ] First - \$ 60.00  
 [ ] Second - \$ 225.00  
 [ ] Third - \$ 510.00  
 [ ] Fourth - \$ 795.00  
 [ ] Fifth - \$1,080.00

month after time period set

**Other Than Small Entity**  
 Response Filed Within  
 [ ] First - \$ 120.00  
 [ ] Second - \$ 450.00  
 [ ] Third - \$1,020.00  
 [ ] Fourth - \$1,590.00  
 [ ] Fifth - \$2,160.00

month after time period set

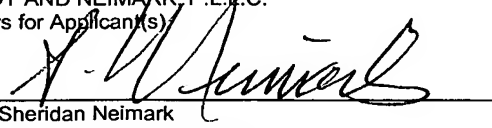
- [XX] Total fees enclosed: \$530.00  
 [XX] Credit Card Payment Form, PTO-2038, authorizing payment the amount of \$530.00 is enclosed to cover the above fees.  
 [XX] Conditional Petition for Extension of Time:  
 If any extension of time for a response is required, applicant requests that this be considered a petition therefor.  
 [XX] The Commissioner is hereby authorized and requested to charge any additional fees which may be required in connection with this application or credit any overpayment to Deposit Account No. 02-4035. This authorization and request is not limited to payment of all fees associated with this communication, including any Extension of Time fee, not covered by check or specific authorization, but is also intended to include all fees for the presentation of extra claims under 37 CFR 1.16 and all patent processing fees under 37 CFR 1.17 throughout the prosecution of the case. This blanket authorization does not include patent issue fees under 37 CFR 1.18.

08/10/2006 GFREY1 00000018 10553695

01 FC:1617 130.00 OP  
 02 FC:1615 400.00 OP

BROWDY AND NEIMARK, P.L.L.C.  
 Attorneys for Applicant(s)

By:

  
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 Registration No. 20,520



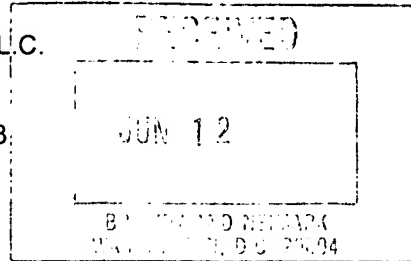
## UNITED STATES PATENT AND TRADEMARK OFFICE

SIKS.

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO. 10/553,695	FIRST NAMED APPLICANT Yoshio Kumazawa	ATTY. DOCKET NO. KUMAZAWA1
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INTERNATIONAL APPLICATION NO. PCT/JP05/03234	
I.A. FILING DATE 02/21/2005	PRIORITY DATE 02/19/2004

CONFIRMATION NO. 2023  
 371 FORMALITIES LETTER



\*OC000000019137430\*

Date Mailed: 06/07/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 10/18/2005
- English Translation of the IA filed on 10/18/2005
- Copy of the International Search Report filed on 10/18/2005
- Request for Immediate Examination filed on 10/18/2005
- U.S. Basic National Fees filed on 10/18/2005
- Priority Documents filed on 10/18/2005

MSD: 075

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of \$400 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Translation of the application into English. The current translation of the application into English is defective as described below. Note a processing fee will be required if submitted later than 30 months from the priority date.
  - The number of claims in the International Application and the number of claims in the translation are not the same.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$400 for a Large Entity:

- Total additional claim fee(s) for this application is \$ 400
  - \$400 for 8 total claims over 20.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

SHAKEEL AHMED

Telephone: (703) 308-9140 EXT 208

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/553,695	PCT/JP05/03234	KUMAZAWA1

FORM PCT/DO/EO/905 (371 Formalities Notice)